

REMARKS

Applicant acknowledges the allowance of Claims 7, 9/7, 10/9/7 and 11/10/9/7.

The drawings have been objected to under 37 CFR 1.83(a). In this regard, Claim 1 has been amended to delete the limitation, without prejudice, of "each club divider having at least three steps." The drawings have been amended to label with reference numeral 51 each of the "stepped club dividers 51" in Figure 5. Such amendment to Figure 5 is supported by the paragraph beginning on page 3, line 14 of the specification which currently states:

"The top of the recessed portion of the rigid shell slants upwardly from the front wall to the back wall as illustrated at 46 and flattens out at 47. In the preferred embodiment the top is partitioned by a wall 48. Stepped club dividers 51 are mounted within the partitioned top of the shell. The club dividers include apertures 52 at each step thread for receiving and accommodating the golf shafts. As can be appreciated the longer clubs, such as the driver and other woods are inserted in upper apertures 53 and clubs shorter shafts such as wedges are in the lower apertures 54. *(Underlining of certain words added for emphasis.)*"

In view of the foregoing portion of the specification, no new matter is being added by amending Figure 5 as indicated above. An annotated copy of Figure 5 is enclosed herewith showing the changes thereto in red. A revised set of formal drawings, including Figure 5 with the noted changes, will be submitted to the Patent Office shortly.

New Claim 13 provides for a golf club travel bag as in claim 1 wherein at least one of the stepped club dividers has at least three steps rising toward the rear wall. Claim 13 is supported by Figure 4 wherein at least one of the stepped club dividers is shown as having at least three steps. With this amendment and explanation, it is assumed that the objection to the drawings under 37 CFR 1.83(a) will be withdrawn.

The specification has been objected to under 37 CFR 1.75(d)(1) and MPEP §608.01(o) as failing to provide proper antecedent basis for the claimed subject matter, specifically the language "at least three steps" formerly included in Claim 1. In addition, Claims 1-6 have been rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement for similar reasons. As stated above, Claim 1 has been amended to delete the language "each club divider having at least three steps." However, as additionally stated above, new Claim 13 provides that at least one of the stepped club dividers has at least three steps rising toward the rear wall. Claim 13 is supported by the paragraph beginning on page 3, line 14 of the specification which has been amended to state:

"The top of the recessed portion of the rigid shell slants upwardly from the front wall to the back wall as illustrated at 46 and flattens out at 47. In the preferred embodiment the top is partitioned by a wall 48. Stepped club dividers 51 are mounted within the partitioned top of the shell. The club dividers include apertures 52 at each step thread for receiving and accommodating the golf shafts. At least one of the club dividers 51, as illustrated in Figure 4, has a least three steps. As can be appreciated the longer clubs, such as the driver and other woods are inserted in upper apertures 53 and clubs shorter shafts such as wedges are in the lower apertures 54. In this way the club shafts are engaged near the heads which limits lateral movement of the heads and minimizes damage to adjacent clubs. Furthermore the clubs are easily accessible during play."

New Claim 13 and the amended paragraph of page 3 of the specification are both supported by Figure 4. With the foregoing amendment to the specification and explanations, it is assumed that the rejection to the specification under 37 CFR 1.75(d)(1) and MPEP §608.01(o) and the rejections of Claim 1-6 under 35 USC §112, first paragraph, will be withdrawn.

Claims 8, 9/8, 10/9/8 and 11/10/9/8 have been rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In this regard, Claims 8 and 9 have been amended to provided antecedent basis for "a pocket" therein and Claim 10 has been amended to change the dependency thereof. With these amendments and explanations, it is assumed that the rejections of the claims under 35 U.S.C. §112, second paragraph, will be withdrawn.

In view of the foregoing, it is respectfully submitted that the claims of record are allowable and that the application should be passed to issue. Should the Examiner believe that the application is not in a condition for allowance and that a telephone interview would help further prosecution of this case, the Examiner is requested to contact the undersigned attorney at the phone number below.

Respectfully submitted,

DORSEY & WHITNEY LLP



Edward N. Bachand
Reg. No. 37,085

Customer No. 32940
555 California Street, Suite 1000
San Francisco, CA 94104-1513
Telephone No.: (650) 857-1717
Facsimile No.: (650) 857-1288
4852-0299-366511